Annex 11 Index of Cases Concluded by Full Investigation

Case No.	Complaint	Conclusion
Agriculture, Fisheries and Conservation Department		
2004/0530	(a) Failing to adequately publicise a new statutory requirement for owners of endangered species; and (b) Poor staff attitude in answering telephone enquiries	Partially substantiated*
Buildings Department		
2003/3310	Impropriety in handling a complaint about an unauthorised structure (“Pai Fong”) built partly on Government land and partly on private land	Partially substantiated*
2003/4277	Delay in enforcing a removal order issued more than 20 years ago	Substantiated*
2004/0385	Failing to follow up repeated complaints about unauthorised building works	Substantiated other than alleged*
2004/1140	Negligence of duty and delay in handling a complaint about unauthorised building works	Substantiated*
Civil Engineering and Development Department		
2003/3617	Dereliction of duty over its actions in relation to the illegal excavation of natural river boulders for use in an infrastructure project	Partially substantiated*
Correctional Services Department		
2003/3373	Failing to follow established procedures in prison security, which resulted in the complainant being assaulted and sustaining injuries while in prison	Substantiated*
Electrical and Mechanical Services Department		
2003/2294 2003/2314	Errors in cremation process and failure to take appropriate remedial measures	Partially substantiated*

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Environmental Protection Department

2003/0314	Mishandling the installation and dismantling of noise barriers at Tolo Highway	Partially substantiated
2004/1407 2004/2834 2004/2918 2004/3124 2004/3159	Failure to consider impact of traffic noise on neighbouring residents after completion of road works	Unsubstantiated

Food and Environmental Hygiene Department

2003/2020	Delay in processing an application for a vacant burial plot for disposition of human ashes	Partially substantiated*
2003/2124 2003/2148	Errors in cremation process and failure to take appropriate remedial measures	Partially substantiated*
2003/2624	Failing to take prompt action in dealing with a report on littering	Substantiated*
2003/3037	Administrative error in processing an application for exhumation of remains, which resulted in loss of the remains buried in the grave	Substantiated*
2003/3192	Failing to take appropriate action in tackling obstruction of public places by several restaurants	Unsubstantiated*
2004/1498 2004/1499 2004/1552 2004/1553 2004/1568 and others	Failing to offer *ex gratia* payment to poultry traders affected by the ban on import of chilled/frozen poultry from the Mainland	Partially substantiated*
2004/2007	Failing to take action against drying of laundry by some local residents in public places	Substantiated*

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Government Logistics Department

2004/1110	Impropriety in tender procedures which resulted in loss of a bank cashier order submitted with a tender by the complainant	Unsubstantiated*

Government Secretariat - Civil Service Bureau

2004/3845	Delay in replying to a written complaint	Substantiated*

Government Secretariat - Education and Manpower Bureau

2003/3181	Unfair arrangement in according priority appointment to surplus teachers	Substantiated
2004/0599	Administrative errors in assessing the academic qualification of a teacher	Substantiated*

Government Secretariat - Efficiency Unit

2004/1041	Failing to follow up a complaint about environmental condition after road works	Unsubstantiated*

Government Secretariat - Environment, Transport and Works Bureau

2003/0994	Mishandling the installation and dismantling of noise barriers at Tolo Highway	Partially substantiated*
2004/1226 2004/2989 2004/3006 2004/3075 2004/3245	Failure to consider impact of traffic noise on neighbouring residents after completion of road works	Unsubstantiated

Government Secretariat - Health, Welfare and Food Bureau

2004/3251 2004/3252 2004/3253 2004/3254 2004/3255 and others	Failing to offer *ex gratia* payment to poultry traders affected by the ban on import of chilled/frozen poultry from the Mainland	Partially substantiated*

Highways Department

2003/0313	Mishandling the installation and dismantling of noise barriers at Tolo Highway	Partially substantiated
2003/3302	Failing to follow up a complaint about environmental condition after road works	Unsubstantiated*
2004/0829	Failing to take action against drying of laundry by some local residents in public places	Substantiated*
2004/1408 2004/2833 2004/2917 2004/3123 2004/3158	Failure to consider impact of traffic noise on neighbouring residents after completion of road works	Unsubstantiated
2004/1935	Providing information on road closure publicity boards	Unsubstantiated*

Home Affairs Department

2004/0059	Failing to conduct proper consultation on the issue of a new “kaito” ferry service licence by Transport Department	Unsubstantiated*
2004/0713 2004/1365	Wrongly sending the complainants five reply letters with the same contents	Substantiated*
2004/2005	Failing to take action against drying of laundry by some local residents in public places	Unsubstantiated*

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Hong Kong Housing Authority

2003/2686	Unfair allotment of shares of management and maintenance expenses in a Home Ownership Scheme estate	Unsubstantiated
2004/3351	(a) Adopting an unfair method in determining the management and maintenance cost of an access road in a public housing estate; (b) Allowing the owners of an adjacent Home Ownership Scheme estate to use the access road free of charge; and (c) Allocating all the rental revenue from monthly-charged lorry parking spaces on the access road to Hong Kong Housing Authority	Unsubstantiated

Hongkong Post

2003/4329	Mistakes by post office staff in processing payments of bills	Substantiated*

Hospital Authority

2004/0917	(a) Removal of the call button from a patient by a nursing staff, resulting in the patient’s subsequent coma and death; and (b) Changing entries in the Patient Progress Sheets, with an intent to cover up	Partially substantiated*

Housing Department

2003/1765	Abuse of power in occupying part of the common area of a Tenants Purchase Scheme housing estate without consulting the owners’ corporation of the estate	Partially substantiated*
2003/3252	Providing inaccurate information to Registration and Electoral Office for updating the address of a registered voter	Substantiated*

2003/3312	Failing to take enforcement action against an unauthorised structure ("Pai fong") built on Government land	Partially substantiated*
2004/0788	Delay in processing the complainant's application for a Green Form Certificate, resulting in her failure to seek a Home Assistance Loan	Partially substantiated*
2004/2198	Failing to supervise effectively a property services company, thus delaying the completion of maintenance work in the complainant's public housing unit	Substantiated*
2004/2395	Failing to take appropriate action in response to a complaint of water seepage	Substantiated*
2004/2662	Staff abuse of authority, removing or taking possession of property in the complainant's unit	Partially substantiated*
2004/3055	(a) Delayed in calling for tenders again for certain shop spaces; and (b) Failing to respond to the complainant's enquiry	Partially substantiated*
2004/3352	(a) Adopting an unfair method in determining the management and maintenance cost of an access road in a public housing estate; (b) Allowing the owners of an adjacent Home Ownership Scheme estate to use the access road free of charge; and (c) Allocating all the rental revenue from monthly-charged lorry parking spaces on the access road to Hong Kong Housing Authority	Unsubstantiated
2004/3854	Failing to settle the outstanding public housing rentals for the complainant while he was in custody in a psychiatric centre, and unreasonably recovering his housing unit	Unsubstantiated*

Kowloon-Canton Railway Corporation

2004/0531	Providing misleading information on road closure publicity boards	Substantiated other than alleged*

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Labour Department

2004/3305	False statement by staff in an investigation report	Unsubstantiated

Lands Department

2003/1498	Delay in processing a short-term tenancy application and allowing illegal occupation of Government land	Partially substantiated*
2003/2644	Delay in taking action against illegal occupation of Government land by unauthorised building works	Substantiated*
2003/3311	Failing to take enforcement action against an unauthorised structure (“Pai Fong”) built on Government land, while accepting an application for Short Term Tenancy by the owner	Unsubstantiated*
2003/3562	Mishandling the complainant’s application to build a small house	Substantiated*
2003/4265	Failing to revise Government rent upon redevelopment of a lot and being unfair to the current owners in asking them to pay the arrears of rent that should have been paid by the former owners	Substantiated*
2004/0964 2004/0965	Failing to clarify the land status of a car park site and leaving the car park idle for months after completion	Partially substantiated*
2004/1938	Delay and impropriety in handling the complainant’s application for building two New Territories Exempted Houses	Substantiated*
2004/2006	Failing to take action against drying of laundry by some local residents in public places	Substantiated*
2004/2082	Impropriety in demanding from the complainant payment of Government rent for his premises from February 1997 to June 2004 in one go	Unsubstantiated

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Legal Aid Department

2004/0995	Failing to update the complainant's correspondence address despite her written request	Substantiated*

Leisure and Cultural Services Department

2003/3067	Abuse of power in handling a "wax burning" incident in a park at Mid-Autumn Festival	Partially substantiated*
2004/0830	Failing to take action against drying of laundry by some local residents in public places	Substantiated*
2004/1928	Unreasonable regulations on overdue fines for library materials borrowed	Unsubstantiated
2004/2362	(a) Lack of transparency in processing the complainant's application to organise a music event; and (b) Delay in processing the application	Partially substantiated*

Marine Department

2004/3284	Failing to conduct effective consultation before the establishment of three speed restricted zones for vessels	Unsubstantiated

Official Receiver's Office

2004/1109	Failure to reply to the complainant's written enquiries	Substantiated*
2004/1177	Failure to take timely action on the complainant's report against a bankrupt dishonestly borrowing money from him	Substantiated*

Privacy Commissioner for Personal Data

2004/2320	Delay in investigating a complaint against a company and failure to keep complainant informed of the progress	Substantiated*

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Rating and Valuation Department

2003/4328	Failing to reply to a complaint relating to rates payment	Substantiated
2004/2883	Impropriety in demanding from the complainant payment of Government rent for his premises from February 1997 to June 2004 in one go	Unsubstantiated
2004/3347	Failing to revise Government rent upon redevelopment of a lot and being unfair to the current owners in asking them to pay the arrears of rent that should have been paid by the former owners	Substantiated*

Registration and Electoral Office

2003/3253	Updating a registered voter's particulars without her prior consent	Substantiated other than alleged*

Social Welfare Department

2004/2042	(a) Failing to follow up properly a report of fraudulent rental allowance claims; and (b) Poor staff attitude	Unsubstantiated*
2004/2661	Staff failure to keep promise to alert complainant before Housing Department's recovery of his public housing unit	Unsubstantiated
2004/3853	Failing to settle the outstanding public housing rentals for the complainant while he was in custody in a psychiatric centre, such that his housing unit was unreasonably recovered by Housing Department	Unsubstantiated*

Television and Entertainment Licensing Authority

2003/2650	Failing to follow proper procedures in processing an application for Games Centre Licence, thereby causing delay in handling the complainant's application and misleading other applicants	Partially substantiated*
2004/2582	Delay in processing a complaint and in replying	Substantiated*

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Transport Department

2003/3598 2003/3599 2003/3600 2003/3601 2004/0389	Unreasonably declining to renew the complainants' driving instructors' licences which were issued to them on their earlier employment with a driving school	Unsubstantiated
2003/4239	Failing to conduct proper consultation and invite tenders before issuing a new "kaito" ferry service licence	Partially substantiated*
2004/0022 2004/0381	Failing to clarify the land status of a car park site and leaving the car park idle for months after completion	Unsubstantiated
2004/0673	Failing to take action against drying of laundry by some local residents in public places	Substantiated*

Treasury

2004/2575	Failing to revise Government rent upon redevelopment of a lot and being unfair to the current owners in asking them to pay arrears of rent that should have been paid by the former owners	Unsubstantiated
2004/2882	Impropriety in demanding from the complainant payment of Government rent for his premises from February 1997 to June 2004 in one go	Unsubstantiated

Water Supplies Department

2004/1549	Failing to reply to the complainant's written enquiry	Substantiated*
2004/3634	Delay in handling the complainant's report of pipe burst	Unsubstantiated

(Cases with * have recommendation(s) in the investigation reports.)